

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division:

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	:
BRUCE BARCLAY,	:
Plaintiff,	:
	:
vs.	: Case No. 1:14-cv-1200
	:
	:
TRANS UNION, LLC., et al.,	:
Defendants.	:
	:
-----	:

HEARING ON MOTIONS

March 6, 2015

Before: John F. Anderson, Mag. Judge

APPEARANCES:

Kristi C. Kelly, Counsel for the Plaintiff

Joseph W. Clark, Eric S. Jacobi and H. Scott Kelly,
Counsel for the Defendants

1 NOTE: The case is called to be heard at 10:13 a.m.
2 as follows:

3 THE CLERK: Bruce Barclay versus Trans Union, LLC, et
4 al., civil action number 1:14-cv-1200.

5 MS. KELLY: Good morning, Your Honor. Kristi Kelly
6 for the plaintiff.

7 THE COURT: Thank you.

8 MS. KELLY: And I appreciate you deferring this for
9 me.

10 THE COURT: Thank you.

11 MR. CLARK: Good morning, Your Honor. Joseph Clark
12 on behalf of the defendant Experian Information Solutions.
13 Present with me at counsel table are Eric Jacobi and Scott
14 Kelly.

15 THE COURT: Okay. All right. You all can have a
16 seat.

17 You know, the motion to compel in this case was filed
18 on Thursday, December 26, with notice for a hearing today.

19 As stated in my Rule 16 scheduling order that was
20 entered on December 18, any opposition to this motion would
21 have been due by Wednesday at 5 o'clock.

22 No opposition was filed in a timely manner. The
23 opposition that got filed was filed around 2 o'clock yesterday.
24 So clearly it was not done in a timely manner.

25 I am going to grant the motion to compel based on the

1 lack of an opposition being filed in a timely manner. I'll
2 order that all nonprivileged documents responsive to document
3 request number 21 be produced. And that a full and complete
4 response to interrogatories 10 and 11 be produced within 11
5 days.

6 If any documents are withheld or any information
7 withheld on the basis of a privilege, a privilege log must be
8 produced along with the responses that are served within 11
9 days.

10 Counsel have any comment? Mr. Clark.

11 MR. CLARK: Yes, Your Honor. Joseph Clark on behalf
12 of Experian. I'm requesting -- making an instant motion for
13 the Court to reconsider --

14 THE COURT: Well, no. If you want to have me
15 reconsider this ruling --

16 MR. CLARK: Yes, sir.

17 THE COURT: It will have to be based on a showing of
18 good cause for a failure to comply with this Court's order. I
19 want it in writing with declarations to support why you think
20 there would be good cause for your inability to file an
21 opposition in a timely manner. You can do that by a motion. I
22 want it on the record in writing. Okay?

23 MR. CLARK: Yes, Your Honor.

24 THE COURT: Thank you.

25 NOTE: The hearing concluded at 10:15 a.m.

C E R T I F I C A T E o f T R A N S C R I P T I O N

I hereby certify that the foregoing is a true and accurate transcript that was typed by me from the recording provided by the court. Any errors or omissions are due to the inability of the undersigned to hear or understand said recording.

Further, that I am neither counsel for, related to, nor employed by any of the parties to the above-styled action, and that I am not financially or otherwise interested in the outcome of the above-styled action.

/s/ Norman B. Linnell

Norman B. Linnell

Court Reporter - USDC/EDVA